

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
ALBANY DIVISION

U.S. DISTRICT COURT
MIDDLE DISTRICT OF GEORGIA
ALBANY, GA 31707
1:04-CV-72 PM 1:42
B. Littleton
CLERK

RICHARD C. TOLBERT,
Plaintiff,

vs.

1:04-CV-72(WLS)

KEVIN ROBERTS, Warden, and
LAVERNE JOHNSON, Lt.,
Defendants.

ORDER

Before the Court is a Recommendation from United States Magistrate Judge Richard L. Hodge (Doc. #30), filed April 4, 2005. It is recommended that civil actions 1:05-CV-05(WLS) and 1:04-CV-72(WLS) be consolidated into one case and that case number 1:04-CV-72(WLS) be the lead case. It is also recommended that the air-plane claim be dismissed from action 1:05-CV-05(WLS). It is also recommended that Steve Lasiter and Sgt. Lemax be added as defendants in the above-captioned civil action and that they be served with a copy of the complaint and other pertinent documents therein. No objection has been filed.

Upon full consideration, the Court finds that said Recommendation should be, and hereby is, ACCEPTED, ADOPTED and made the order of this Court for reason of the findings made and reasons set out therein. Accordingly, civil action 1:05-CV-05(WLS) and 1:04-CV-72(WLS) shall be consolidated and case number 1:04-CV-72(WLS) shall be designated as the lead case. Also, Steve Lasiter and Sgt. Lemax shall be added as defendants in the above-captioned action and served with a copy of the

complaint and other pertinent documents. Lastly, the airplane claim is DISMISSED from civil action 1:05-CV-05(WLS).

SO ORDERED, this 3rd day of May, 2005.



W. Louis Sands, Chief Judge
United States District Court